

not to indicate to the ordinary purchaser which of the ingredients were active.

On July 17, 1944, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**1329. Misbranding of Formula No. 4 and Formula No. 13. U. S. v. 94 Packages of Formula No. 4 and 52 Packages of Formula No. 13. Default decree of condemnation and destruction. (F. D. C. No. 11447. Sample Nos. 53826-F, 53828-F.)**

On December 22, 1943, the United States attorney for the District of Arizona filed a libel against 94 packages of Formula No. 4 and 52 packages of Formula No. 13 at Tucson, Ariz., alleging that the articles had been shipped on or about November 9, 1943, by the Dietary Research Laboratories, Los Angeles, Calif.; and charging that they were misbranded. The articles were labeled in part: "Supplemental Concentrates Formula No. 4 20 Vegetable Concentrates Combined with Raw Liver, Heart Muscle and Stomach Lining Vitamins A, B, D, E and G Present in their Natural Form," and "Formula No. 13 Garlic—Parsley."

Examination of the Formula No. 4 disclosed that it consisted essentially of alfalfa and wheat with small amounts of other vegetable material and possibly animal tissue. It was alleged to be misbranded in that the statements in the labeling, "The materials for this tablet were selected for their properties of blood regeneration. A healthy blood stream is the first basic requirement of health," were false and misleading since the article would not be effective in regenerating blood or in producing a healthy blood stream.

Examination of the Formula No. 13 disclosed that it consisted essentially of garlic and parsley. It was alleged to be misbranded in that the statements in the labeling, "A Dietary Supplement in the presence of High Blood Pressure," and "A dietary supplement processed and formulated to provide an effective adjuvant to the regular or prescribed diet," were false and misleading since the article would not be effective in relieving high blood pressure, and was not an adjuvant to the diet.

The articles were also alleged to be misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

On February 7, 1944, no claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

**1330. Misbranding of wheat germ. U. S. v. 88 Packages of Wheat Germ. Default decree of condemnation and destruction. (F. D. C. No. 12680. Sample No. 75714-F.)**

On June 17, 1944, the United States attorney for the Northern District of Ohio filed a libel against 88 1-pound packages of wheat germ at Warren, Ohio, alleging that the article had been shipped on or about April 14, 1944, by the Triple Health Food Co., Rochester, N. Y. The article was labeled in part: "Triple Health (Superior) Wheat Germ \* \* \* A Natural Medicinal Food."

Examination showed that the article was essentially wheat germ. It was alleged to be misbranded in that the label statements, "Triple Health A Vitality-Filled Body A Cheerful Mind \* \* \* A Peaceful Spirit The Triple Health System \* \* \* A Natural Medicinal Food \* \* \* Twice as rich in protein as meat. Contains vitamins A, \* \* \* E and G. Rich in organic minerals. Recommended as a physical builder. Nerve and mental tonic. Digestive and eliminative aid. Beneficial in skin conditions, etc. \* \* \* Triple Health Food," were false and misleading since the article was not a medicinal food, would not effect the results suggested and implied, would provide nutritionally inconsequential amounts of vitamins A, E, and G, was not rich in organic minerals, and was not twice as rich in protein as meat.

The article was also alleged to be misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

On August 7, 1944, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**1331. Misbranding of Harris' 121 Remedy. U. S. v. 26 Bottles and 10 Bottles of Harris' 121 Remedy. Default decree of condemnation and destruction. (F. D. C. No. 12477. Sample No. 28865-F.)**

On or about June 12, 1944, the United States attorney for the Southern District of Florida filed a libel against 26 small size bottles and 10 large size bottles of the above-named product at Orlando, Fla., alleging that the article had been shipped by the Harris Medicine Co., from Dawson, Ga., on or about